

App. No. 10/749,938  
Amendment Dated April 25, 2006  
Reply to Office Action of January 25, 2006

### REMARKS/ARGUMENTS

Claims 1-30 are pending in this application. Claims 1-30 stand rejected. In view of the following remarks, reconsideration and allowance of all pending claims are respectfully requested.

#### **Claim Rejections under 35 U.S.C. §102**

The Office Action rejected claims 1-9, 11-19, and 21-29 under 35 USC §102(e) as being anticipated by U.S. Patent Application Publication ("Abrashkevich").

Applicants traverse the rejection because Abrashkevich is merely a publication and is **not** "a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent. . . ." (35 USC § 102(e)). Accordingly, applicants respectfully submit that this rejection should be withdrawn.

Moreover, applicants traverse the rejection because Abrashkevich fails to disclose a method for tagging an allocable memory block, comprising: determining the identity of a routine performing one of requesting the allocable memory block, requesting the size of the allocable memory block, and freeing the allocable memory block; generating an identifier for the routine; and storing the identifier in the allocable memory block.

Abrashkevich (see Sections [0039], lines 1-13) creates and initialize a pool header and updates heap header data using a heap handle provided. This header information identifies allocated memory and does not identify a routine that performs one of requesting the allocable memory block, requesting the size of the allocable memory block, and freeing the allocable memory block. Accordingly, independent claim 1 is believed to be allowable over Abrashkevich, even if the reference were citable as alleged in this Office Action.

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Independent claims 11 and 21 are similar to claim 1, albeit different in important ways and are submitted to be allowable for at least the reasons by which claim 1 is allowable.

Regarding claims 2-10, 12-20, and 22-30, these claims are dependent upon claim 1, 11 or 21. Therefore claims 2-10, 12-20, and 22-30 are patentable over Abrashkevich for at least the reasons by which the claims from which they depend are allowable.

### **Claim Rejections under 35 U.S.C. § 103**

Claims 10, 20, and 30 stand rejected under 35 USC 103(a) as being unpatentable over Abrashkevich, and further in view of U.S. Patent No. 6,381,682 ("Noel"). The Office Action states that it would have been obvious to one of ordinary skill in the art to combine the "Defensive Heap Memory Management" of Abrashkevich with Noel's "Method and Apparatus for Dynamically Sharing Memory in a Processor System", so that a timestamp would be included and that the time of memory block allocation could be indicated in order to keep the system as efficient and accurate as possible.

The applicants traverse this assertion because Abrashkevich either singly or in motivated combination with Noel fails to teach the limitation of independent claims 1, 11, and 21 for at least the same reasons as stated above. In particular the cited references fail to teach or suggest a method for tagging an allocable memory block, comprising: determining the identity of a routine performing one of requesting the allocable memory block, requesting the size of the allocable memory block, and freeing the allocable memory block; generating an identifier for the routine; and storing the identifier in the allocable memory block. Claims 10, 20, and 30 are submitted to be allowable for at least the reasons by which the claims from which they depend are allowable.

In view of the foregoing amendment and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application,

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the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

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